Employment Policies

1. General Policy Statement

1.01 The AD 10 Policies set out the responsibilities, rights, and terms and conditions of employment for Administrative and Professional Staff (see in bold below) and apply only to this group. The University has an obligation to exercise a duty of fairness in the application of the AD 10 Policies and in relation to matters not covered by the AD 10 Policies.

University Support Staff comprise the following groups:

<table>
<thead>
<tr>
<th>University Support Staff</th>
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<tr>
<td>University administrative and professional staff</td>
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<td>TSSU</td>
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<tr>
<td>APSA members</td>
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<tr>
<td>Administrative and Professional Staff (Association Group)</td>
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1.02 If there is a conflict between the terms of the AD 10 Policies and the terms of the APSA Basic Agreement, the APSA Basic Agreement will prevail.

1.03 The University and APSA agree that the AD 10 Policies will be implemented and administered fairly and consistently across the University community taking Employment Equity Policies into consideration.

1.04 The AD 10 Policies may be amended from time to time in accordance with the Basic Agreement and with the procedures set out in Section 4.01 - 4.02 of this Policy.

2. Definitions

2.01 The following definitions apply to all AD 10 Policies.

2.02 The definitions below defined in the singular include the plural.

- **Actual Salary**: cash compensation paid to an Employee.

- **AD 10 Policies**: the series of policies numbered AD 10.1 through to and including AD 10.22 applicable to Administrative and Professional Staff.

- **Administrative and Professional Staff**: (also referred to as "Employees") all Administrative and Professional Staff employed by the University whose employment is not covered by a collective agreement and who are APSA members, or Conscientious Objectors or 'Grandfathered' Employees. Excluded from this definition and the AD 10 Policies are Contract Employees and employees who are excluded from APSA by Article 3 -- Appendix A. of the APSA Basic Agreement.
Administrative and Professional Staff Position -- a Continuing Position or a Temporary Position.

Anniversary Date - the month and day of the month that the Employee was first appointed to his/her current position or the month and day of the month that the Employee’s position was last reclassified, whichever occurred most recently.

Annual Salary -- an Employee's regular earnings (excluding acting pay or Temporary Promotion pay) paid to an Employee, annualized over a twelve (12) month period.

Anomaly -- an occupied Administrative and Professional Staff Position that has been re-evaluated and reclassified to a lower salary grade.

APSA -- the Simon Fraser University Administrative and Professional Staff Association.

APSA Basic Agreement -- the Basic Agreement for Collective Bargaining and Consultation between the University and APSA.

Arbitration -- Step 4(b) of the Individual Grievance procedure. A hearing chaired by a mutually agreed upon Arbitrator that is intended to provide a binding resolution to the Individual Grievance. Arbitration is governed by the Commercial Arbitration Act of British Columbia. See also Expedited Arbitration.

Association Group -- see Administrative and Professional Staff.

Binding Arbitration -- see Arbitration or Expedited Arbitration.

Bi-weekly Salary -- an Employee's Annual Salary divided by 26.0893.

Business Travel -- travel by an Employee during the course of employment that is authorized or required by the University in the furtherance of University business. Injury sustained during everyday travel to and from work, during a bona fide leave of absence or during vacation will not be deemed to be sustained while on the business of the University.

Child -- see Dependent.

Classification -- a position's Salary Range that places the position in a level in an occupational group and/or job family of characteristically similar positions.

Complaint -- see Policy Complaint.

Complainant -- a member of the Administrative and Professional Staff who initiates a Policy Complaint.

Conscientious Objector -- a member of the Administrative and Professional Staff who affirms a conscientious objection to representation by APSA and who donates funds equivalent to APSA membership dues to a charitable recipient mutually agreed upon by the University, APSA and the Employee involved.

Continuing Employee -- an Employee employed in a Continuing Position.

Continuing Position -- a position with no end date.

Contract Employee -- a person who provides services to the University under an arrangement other than a regular appointment (see AD 3.11 Employee/Independent Contractor Policy).

Demotion -- a voluntary or involuntary transfer from a position to a position in a lower salary grade.
Departmental Budget Authority -- an Employee who has authorization in writing to have signing authority over specific budget funds which may include regular operating budgets and/or special non-research grants and contracts.

Departmentally Funded Professional Development Leave -- a leave of up to one (1) year, with full or partial salary, granted on the basis of demonstrated benefit to the University and the Employee and funded by the department.

Dependent -- a child, either through birth, legal guardianship or adoption by an Employee or of an Employee's Spouse. Age at which a Dependent is eligible for benefits is determined by the specific AD 10 Policy.

Early Retirement -- retirement from the University of an Employee who is less than sixty-five (65) but fifty-five (55) or more years old.

EI -- Employment Insurance.

Employee -- a member of the Administrative and Professional Staff.

Expedited Arbitration -- Step 4(a) of the Individual Grievance procedure. A hearing chaired by a mutually agreed upon Arbitrator usually lasting no more than one (1) day that is intended to provide a binding resolution to the Individual Grievance in an expedited manner. See also Arbitration.

External Candidate -- a person who is not employed by the University who has applied for an Administrative and Professional Staff Position.

Full-time Employee -- a Continuing Employee or a Temporary Employee whose normal hours of work are seventy-two (72) hours bi-weekly.

General Increase -- incremental adjustment applied to the Salary Ranges. General Increases normally occur annually and are applied to the Salary Ranges before Step Progression occurs.

'Grandfathered' Employee -- an Employee who occupied an Administrative and Professional Staff Position when APSA was formed (1982), and who chose not to become a member of APSA.

Grievance -- see Individual Grievance.

Grievor -- an Employee who initiates an Individual Grievance.

Gross Misconduct -- action or inaction on the part of an Employee where the employment relationship itself is repudiated or irrevocably damaged. Gross Misconduct may include, but is not limited to, the following:

- absences without leave,
- assault,
- insubordination,
- negligence,
- unauthorized possession or use of University property, facilities or services.

Identified Departmental Candidate -- an Employee currently working in a department Posting a position, who has performed the most substantive components of the Posted position for a minimum of four (4) months.

Individual Grievance -- a complaint initiated by an Employee concerning the interpretation, application, operation or alleged violation of an AD 10 Policy including the discipline, suspension or dismissal of an Employee under the AD 10 Policies.

Internal Candidate -- a person employed by the University who has applied for an Administrative and Professional Staff Position.
Job Related Courses -- those courses (such as seminars, webinars, round tables, conferences or workshops) that will assist in maintaining or improving the knowledge and skill necessary to meet current responsibilities or future University job opportunities. The courses will normally be offered by educational institutions or other recognized providers of professional learning. A course that is required for a specific task in the employee’s current position is the responsibility of the employee’s department.

JUAC -- Joint University/Association Committee.

LTD -- Long Term Disability.

Mediation -- Step 3 (optional) of the Individual Grievance procedure. A meeting facilitated by a Mediator chosen from a mutually agreed upon list to determine if a solution can be found to an Individual Grievance.

Misconduct -- see Unacceptable Conduct or Gross Misconduct.

Modification of Appointment -- agreement whereby a Full-Time Employee employed in a Continuing Position may reduce the time worked in that position by up to 50%.

Nominal Salary -- the salary that an Employee whose Continuing Position is the subject of a Modification of Appointment would have received but for the Modification of Appointment.

Non-Binding Arbitration -- see Mediation.

Normal Salary -- a Continuing Employee’s Annual Salary or his/her temporary biweekly salary (excluding any additional earnings) whichever is lower, averaged over the six month period preceding the commencement of the maternity, parental or adoption leave.

Non-Culpable Circumstances -- situations where an Employee is unable to fulfill the requirements of the employment relationship because of circumstances or events over which he/she has no control.

Normal Retirement Date -- the first day of the month following an Employee’s sixty-fifth (65) birthday. If the Employee’s birthday is the first of the month, the Normal Retirement Date is the Employee’s birthday.

Part-time Employee -- a Continuing Employee or a Temporary Employee whose normal hours of work are less than seventy-two (72) hours bi-weekly.

Picket -- a 'Picket' as that term is defined in Section 1 of the Labour Relations Code. R.S.B.C. 1996, c. 244, as amended.

Policy Complaint -- a complaint initiated by an Employee, a group of Employees or the APSA Executive concerning dissatisfaction with an AD 10 Policy, University regulation, practice, procedure or working condition or lack thereof.

Position Description -- a summary of the major duties and responsibilities of a position and the minimum qualifications and abilities required to perform the work.

Position Evaluation -- the formal process for determining the relative values of positions in the University conducted within the framework of an established Position Evaluation system.

Position Reclassification -- a change in Classification of a position after Position Re-evaluation.

Position Re-evaluation -- the process of evaluating revised responsibilities of an existing position that has been previously evaluated.
Position Rotation and Exchange Committee -- a Committee composed of three (3) persons authorized to represent the University and three (3) persons authorized to represent APSA that actively promotes opportunities for position rotation and exchange.

Position Share -- a situation where a Continuing Position is occupied by two Part-time Employees one of whom is the Primary Incumbent, the other the Secondary Incumbent.

Posting -- an internal advertisement for a vacant position.

Primary Incumbent -- the Continuing Employee who initiates a Position Share.

Professional Development -- acquiring or enhancing knowledge, skills, experience and/or competencies of an Employee required to maximize performance in his/her current job, for changing position requirements or new position opportunities at the University.

Professional Development Leave -- leave of up to one (1) year granted to an Employee with full or partial salary funded by the University or the department on the basis of demonstrated benefit to the University and to the Employee.

Professional Development Leave Committee -- a Committee composed of the Vice-Presidents and the Associate Vice President, Human Resources that considers University Funded Professional Development Leave proposals.

Progressive Discipline -- a coaching process intended (a) to bring to an Employee's attention in a timely and open way, any matters involving Unsatisfactory Performance and/or Unacceptable Conduct, and (b) to ensure the Employee has an adequate opportunity to improve or correct Unsatisfactory Performance and/or Unacceptable Conduct through the escalation of the consequences for failure to do so.

Promotion -- the movement of an Employee into a Continuing Position that has a higher Salary Range than his/her previous position.

Resignation -- the voluntary relinquishing of an employment relationship with the University.

Respondent -- a person against whom a grievance is brought by an Employee.

Retired Former Continuing Employee -- Continuing Employee who has been continuously employed for a minimum of five (5) calendar years as a Continuing Employee immediately prior to retiring from the University.

Retirement Date -- see Normal Retirement Date.

Salary Range -- a spread of dollar values in successive steps from a minimum to a maximum expressed as a range. Each Salary Range represents a grade on the Salary Scale.

Salary Scale -- a table of dollar values expressed as Salary Ranges.

Secondary Incumbent -- a Part-time Employee who shares a Continuing Position with the Primary Incumbent.

Secondment -- the assignment of an Employee to another department for a stipulated period of time.

Spouse -- a person to whom an Employee is legally married or a person with whom the Employee has co-habited for twelve (12) months in a marriage-like relationship and who is known in the community as the Employee's spouse or partner. Only one spouse is eligible for benefit coverage under this policy at any one time.

Step Progression -- the movement of an Employee's Actual Salary through the Salary Range assigned to a Position.

Supervisory Differential -- the difference between the maximum of the Salary Range
assigned to a supervisory position and the maximum of the Salary Range assigned to the most senior position supervised and the difference between the salary paid to the supervisor and the salary paid to the highest paid employee supervised.

Suspension -- disciplinary measure taking the form of an imposed absence from work, normally without pay.

Temporary Assignment -- a Temporary Assignment of work that in combination with the Employee’s regular duties, exceeds the scope of the Classification assigned to the original position.

Temporary Employee -- an Employee hired into a Temporary Position.

Temporary Overload -- a situation where an Employee is requested and has agreed to assist in performing additional duties in addition to performing the normal duties of his/her own position, and for which he/she may be paid.

Temporary Position -- a position with an end date.

Temporary Promotion -- the movement of an Employee to a higher classified position for a temporary period of time after which he/she returns to the original position.

Training -- the process of providing instruction and practice for an Employee to establish, maintain and improve the knowledge and experience necessary to meet his/her current responsibilities effectively and efficiently.

Trial Period -- formal period of evaluation where position requirements and expected standards will be established.

Tuition Reimbursement -- reimbursement of course costs for Job-Related Courses approved by the supervisor.

Tuition Waiver -- the waiver of tuition fees by the University for Senate approved academic programs and credit courses.

Unacceptable Conduct -- action or inaction by an Employee that is incompatible with, or prejudicial to, the business of the University.

University -- Simon Fraser University.

University Funded Professional Development Leave -- a leave of up to one (1) year granted to an Employee with full or partial salary on the basis of demonstrated benefit to the University and the Employee, and funded by the University.

University Support Staff -- a person with an employment relationship with the University, whose terms are detailed in an offer of employment. An employer/employee relationship exists where a person providing a service is deemed, for Revenue Canada purposes, to be an employee of the University and the University is required by law to provide statutory benefits and make specific source deductions from payments. This does not include persons employed under academic employment policies or persons who may work at or about Simon Fraser University but who are employed by other agencies such as, but not limited to, the following: The Simon Fraser Student Society, The Diamond University Club, SFU Childcare Society, various grant or contract holders (ref. GP 12 "grant Employees"), independent contractors and other institutes operating independently of Simon Fraser University.

Unsatisfactory Performance -- the failure to satisfy expected standards of performance in the position.

Vacation Entitlement -- earned Vacation Entitlement in hours based on service.

Vacation Year -- the calendar year, January to December.
3. **Responsibility**

**3.01** The Associate Vice President, Human Resources is responsible for developing, implementing and administering the AD 10 Policies applicable to Administrative and Professional Staff. Changes in policies and new policies require consultation with the Vice-Presidents before approval by the Board of Governors.

**3.02** The process of negotiation between the University and APSA will determine General Increases to Annual Salary, pensions and other generally available economic benefits including those that have an impact on the AD 10 Policies.

**3.03** Only Human Resources may commit the University on any matters of employment, re-employment, transfers, Promotions, position Classifications, rates of pay, extended leaves of absence, or employee benefits for Administrative and Professional Staff. Human Resources will have regard for the provisions of Policy GP 19 - Employment Equity when discharging these responsibilities.

4. **Joint University/Association Committee (JUAC)**

**4.01** The Joint University/Association Committee (JUAC) is established for the purposes of:

a. promoting harmonious, collegial relationships with and within the University,

b. discussing matters of mutual concern to the University and APSA,

c. providing a forum for University consultation with APSA in respect of both proposed amendments to existing AD 10 Policies that do not include a monetary benefit and the creation of new AD 10 Policies that do not include a monetary benefit,

d. recommending either amendments to the AD 10 Policies that do not include a monetary benefit or the inclusion of new AD 10 Policies that do not include a monetary benefit,

e. considering Policy Complaints and making recommendations in accordance with the procedures set out in Policy AD 10.17 Section 4.03,

f. considering Position Share arrangements in accordance with Policy AD 10.5 that, after a trial period, are unacceptable to supervisors.

**4.02** Membership

a. The Joint University/Association Committee is composed of three persons authorized to represent the University and three persons authorized to represent APSA.

b. Both the University and APSA may appoint or elect members to JUAC as they find appropriate.

c. Both APSA and the University may bring in resource people as deemed necessary.

**4.03** Procedures

a. JUAC meetings are scheduled monthly. JUAC will establish other meeting times to meet the requirements of Policies AD 10.5 and AD 10.17 as is deemed necessary.

b. Two APSA members of JUAC and two University members of JUAC will constitute a quorum. If a JUAC member is absent, neither APSA nor the University will provide a replacement.

c. JUAC recommendations will be reached by majority agreement. If there is a "tie," both sides will provide written recommendations to the respective principals.

d. Where appropriate, JUAC recommendations for a change to an AD 10 Policy will be forwarded to the respective principals. If the recommendations are approved by the Board of Governors of the University, the APSA Executive and, as deemed appropriate, by the APSA membership, they will be implemented within the timelines established. Extensions to timelines are subject to mutual consent that will not be unreasonably withheld.